

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 11:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.J. Res. 2—Term Limits Constitutional Amendment**



## **H.J. Res. 2—Term Limits Constitutional Amendment**

**Floor Situation:** The House will consider H.J. Res. 2 as its only order of business today. On Tuesday, the Rules Committee granted a modified closed rule providing for two hours of general debate, equally divided between the chairman and ranking minority member of the Judiciary Committee. The rule also makes in order 10 substitute amendments which are debatable for 10 minutes each, except for two offered, respectively, by Mr. McCollum and Messrs. Dingell and Barton, which are debatable for 30 minutes each. Finally, the rule provides for one motion to recommit, with or without instructions.

**Summary:** H.J. Res. 2 proposes a constitutional amendment to limit the number of terms that members of Congress may serve. It prohibits anyone who has served two full terms in the Senate or six full terms in the House (12 years in either case) from serving in that same chamber again. If a person serves more than half of a term of some other person who was elected, that service counts as a term. The amendment is not retroactive; it is not meant to affect terms that commence before its enactment. The proposed amendment to the Constitution must be supported by a two-thirds vote by both the House and Senate, and then must be ratified by three-fourths of the states within seven years of the date it is submitted to them.

### **Views (on the overall bill):**

**Republican Leadership:** Supports

**Chairman Hyde:** Does Not Support

**Clinton Administration:** No Position Available

**Amendments:** As mentioned above, the rule makes in order 10 amendments, to be considered in the order listed below. All amendments are debatable for 10 minutes each, except for those offered by Mr. McCollum and Messrs. Dingell and Barton, which are debatable for 30 minutes each. The rule makes in order a number of amendments to address the concerns of members who must support federal legislation that reflects their state's term limits language *to the exclusion of other term limits alternatives*, or else they risk facing future election ballots in their home districts which note that they “disregarded voter instructions on term limits.”

**“Scarlet Letter” State Proposals.** The House will consider seven amendments offered by members who represent “scarlet letter ballot” states—**Messrs. Hutchinson, McInnis, Crapo, Blunt, Christensen, Gibbons, and Thune**. Each of these proposals contain virtually identical provisions, which (1) limit House members to three terms of service, and Senate members to two terms; (2) stipulate that terms being served at the time of the amendment's ratification will be counted toward the limit of time served in office; and (3) require that amendments be ratified by three-fourths of the states, but do not include a time limit within which they must complete the state ratification process. Missouri's state law adds an option for states to alter limits established by federal legislation should they so choose; thus, an amendment offered by Mr. Blunt reflects this provision in addition to those listed above. *Staff Contacts: Stacey Shrader (Hutchinson), x5-4301; David Bernhardt or Blake Harrison (McInnis), x5-4761; Jeff Loveng (Crapo), x5-5531; Gregg Hartley (Blunt), x5-6536; Justin Peterson (Christensen), x5-4155; Peggy Gordon (Gibbons), x5-6155; and Jafar Karim (Thune), x5-2801*

**Mrs. Fowler** will offer an amendment to impose an eight-year limit for House members and a 12-year limit for the U.S. Senate. The Fowler amendment is also distinct from other amendments because it stipulates that, after a member's term limit is reached, they may run for their congressional office again after sitting out only one term (two years for the House, or six years for the Senate). Other amendments, including the base text of H.J. Res. 2, provide a lifetime ban on returning to the same chamber after the term limit has been reached. *Staff Contact: David Gilliland, x5-2501*

**Mr. Scott** will offer an amendment to limit House members to three terms of service and Senators to two terms. Terms being served at the time of the amendment's ratification will count toward the limit of time served in office. The amendment also allows states to set limits lower than those established by H.J. Res. 2. *Staff Contact: Bobby Vassar, x5-8351*

**Mr. Dingell and Mr. Barton** will offer an amendment to limit House and Senate members to 12 years of service. Like several other amendments, the Dingell/Barton proposal does include terms being served by members at the time the amendment is ratified. However, the amendment also includes previous terms served toward the overall limit (i.e., it applies retroactively). *Staff Contacts: Brandon Steinmann (Barton), x5-2002; Mike Scholl (Dingell), x5-4071*

**Mr. McCollum** will offer an amendment, identical to the base text of H.J. Res. 2 save for technical changes, to establish a 12-year term limit on both House and Senate members. *Staff Contact: Karl Kaufmann, x5-2176*

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #3, February 7, 1997.

